

## Appendix "A"

### UNION DEPOT PROVISIONS OF THE REVISED STATUTES REVISED STATUTES MISSOURI 1939 §§ 5251, 5252.

Sec. 5251. Union stations—corporation for construction of—railroad company may construct.—In order to facilitate the public convenience and safety in the transmission of goods and passengers in and in the neighborhood of large cities, from one railroad to another, and to prevent the unnecessary expense, inconvenience and loss attending the accumulation of a number of stations, any number of persons not less than five, or any such number of persons, not less than five, and any railroad company or companies, are hereby authorized to form themselves into a corporation under the general laws of this state, relating to private corporation for the purpose of constructing, establishing and maintaining a union station for passengers or freight depots, or for both, in or in the neighborhood of any city of this state, with the necessary offices and rooms convenient therefor, and the appurtenances thereto, and, for that purpose, may make and sign articles in which shall be stated the number of years the same is to continue, the city in which the same is to be located, the amount of the capital stock of said company, which shall not exceed ten millions of dollars, the amount of each share of stock, the names and places of resident of its directors who shall manage its affairs for the first year and until others are chosen in their place, the number of its directors, which shall not be less than five nor more than twenty, and shall also state the amount of stock taken by each subscriber. And any railroad company may construct, build, operate and maintain a union station in, or in the neighborhood of any city of this state, for passengers or freight depots, or for both, with the necessary offices and rooms convenient therefor, and the appurtenances thereto, and shall have the like powers in con-

nection with any such union station or depots, or both, as are possessed by union depot companies formed under this section.

Sec. 5252. Powers of such corporation or railroad company—Every corporation formed under the preceding section, and every railroad company which may build and operate a union station or depot under said section, shall, in addition to the general powers conferred by the laws of this state, in relation to corporations, have powers: First, to take and hold for the purposes mentioned in said section such real estate and railroad and other property as it may acquire by conveyance to said corporation, and such real estate as it may acquire under the provisions of said previous section, by condemnation; second, to take, occupy and condemn any lands and real estate needed for the establishment of such union station or depot, or the terminal facilities in connection therewith, and the same proceedings shall be had therefor as provided by law relating to the appropriation and valuation of land taken for telegraph, macadamized, graded, plank or railroad purposes, so far as applicable thereto, and, when so condemned the said land and any interest therein shall belong to such corporation or owner thereof; third, to hold and acquire, by purchase or condemnation, any such real estate as may be requisite or necessary for the purpose of constructing, erecting, maintaining and operating terminal facilities for the use of the railroads occupying or having access to such union station or depot, and also to build, maintain and operate terminal railroads and terminal facilities to be used in connection with such union station or depot, and to build, maintain and operate railroads, ferries and bridges over navigable streams, or otherwise, and to construct tunnels as and for approaches to said union station or depot, and to such extent as may be deemed necessary by the corporation operating and maintaining such union station or depot, and for such purposes to acquire property and extend its terminal

facilities beyond the limits of this state, and also to transport, or permit to be transported, persons and property over such railroads, ferries and bridges as may be built or operated by any corporation operating thereunder, and to charge compensation therefor, and such depot or railroad company may acquire and hold the stock and obligations of any company operated in connection with or forming part of the terminal facilities of such union depot or railroad company, and may guarantee the principal and interests of such obligations and dividends upon such stock; fourth, to have the right to lay the necessary tracks across, over, upon or under such streets of the city in which said station or depot is to be constructed, and across, over, upon or under such roads of the county or counties into which such terminal facilities are to be extended, as may be necessary in order to make the necessary connections with all such railroads as are to have access to said station or depot, and also to construct such station or depot across, under, over or upon any such streets or roads: *Provided*, that nothing herein contained shall be construed to authorize the construction of such tracks, or station or depot, not already located, across, under, over or upon any street in a city or a road of any county, without, the consent of the corporate authorities of such city or the county court of such county; fifth, from time to time, to borrow such sums of money as may be necessary for the construction, completion, equipment, maintenance, finishing, operating or repairing of such station or depot, and the terminal facilities connected therewith, or for the purpose of funding its floating debt, or refunding its bonded debt, or for the purpose of making additions, alterations or betterments to its property, authorized by its charter, or for making any connection with any railroad which is to have access to such union station or depot, or with any bridge or tunnel connected with or forming a part of such terminal facilities or for the construction, alteration or repair of any such bridge or tunnel connected with or forming a part of such terminal facilities, and for any or all

of the above named purposes, may issue, sell, hypothecate and dispose of its corporate bonds for such amounts and at such prices as may by such corporation be deemed proper for obtaining any amount so borrowed, and may mortgage its corporate property and franchise or franchises, or any part or parts thereof, to secure the payment of such bonds or of any debt so contracted by such corporation for any of the purposes aforesaid; sixth, to open, from time to time, books of subscription to the remainder of the capital stock not taken by the subscribers to the articles of association: *Provided, however,* that any company organized under the preceding section shall not have the power by condemnation to acquire the property now owned by any other union depot company or railroad company and used or needed for its corporate purposes, but any company formed hereunder shall have the same right and power to intersect, connect with and cross other railroads with its tracks, and to join and unite its tracks with those of similar companies or railroad companies as is by the Constitution and laws of this state conferred upon railroad companies, and the same method of ascertaining the compensation to be made therefor shall apply as is provided in the case of railroad companies under similar circumstances.

## Appendix "B"

In the published Laws of Missouri, 1879, p. 257, under the heading "Resolutions," there appears the following:

"JOINT AND CONCURRENT RESOLUTION in relation to the revision of the Statutes of the State of Missouri.

"WHEREAS, The constitution of the State of Missouri provides that within five years after its adoption, all the statute laws of a general nature, both civil and criminal, shall be revised, digested and promulgated; and

"WHEREAS, Said constitution became the supreme law of the land on the 30th day of November, 1875, and the five years expire on the 30th day of November, 1880; and

"WHEREAS, This is the only regular session which can be held by the terms of said constitution, before the expiration of said five years; and

"WHEREAS, There is no provision in the constitution and laws of this State, or the rules of the respective houses, as to the mode and manner in which revision shall be made; now, therefore, that this the 30th General Assembly may comply with the above provision of the constitution,

*"Be it resolved by House of Representatives of the State of Missouri, and the Senate concurring therein, as follows:*

"First—That a committee of seven, consisting of three members of the Senate and four members of the House, be selected as hereinafter provided, whose duty it shall be to proceed immediately to revise and digest all the statute laws of the State of a general nature, both civil and criminal, and as said committee shall complete the revision of each separate act or subject, contained in the present statutes, or session acts, or shall submit an act upon any new subject, the same shall be reported to either House for adoption and approval, or to be otherwise disposed of by the General Assembly."

*Second*—(Authorization for suitable rooms.)

*Third*—(Necessary equipment.)

*Fourth*—(Committee excused from attendance.)

*“Fifth*—When an act upon any subject shall have been reported and passed by both houses, and signed by the Governor or passed over his veto, no member in either House shall offer any bill or resolution on the same subject during the session of the Thirtieth General Assembly; except at the conclusion of the revision of all the laws and the adoption thereof, a bill or bills may be offered and acted upon, *declaratory of such revision*, and providing for carrying the same into effect and for the preparation of convenient indices, marginal notes, references to court decisions and publishing and distributing the same.

*“Sixth*—Whenever the chairman of any committee of either the Senate or House, to whom have been referred any bill of a general nature, either civil or criminal, relating to the revision of the statutes, are ready to report on same by amendment, substitute or otherwise, and the said report is that the said ‘bill as reported do pass,’ the chairman shall report the same to his respective House, when it shall be subject to amendment, but before engrossment said bill shall be recommitted to the Committee of Revision as provided for in section one of this resolution, who shall proceed to consider the same as if it had originated with them, in the line of their prescribed duties under this resolution, and shall report the same back to the body in which it originated, together with their action upon the same, and said bill shall be further proceeded upon as provided by law for bills upon second reading.

*“Seventh* — Whenever the chairman of any committee of either House, to whom have been referred any bill, are ready to report upon the same, and said report is ‘without recommendation,’ or that said ‘bill do not pass,’ the chairman shall report the same to his respective House to be proceeded upon as required by law, and if it pass both Houses, it shall be recommended by the House in which it was last considered, to the Revision Committee, to be by them incorporated in the revised laws of the State; *Pro-*

*vided*, that all bills that have proceeded to engrossment in either House, shall be proceeded upon as required by law, and if passed by both Houses shall be recommitted by the House in which last considered to the Revision Committee, to be by them incorporated in the revised laws of the State; *and, further provided*, that the general appropriation bills and the bills relating to the assessing and collecting the revenue, and the bills relating to the various State institutions, shall not be referred to the Revision Committee until after they are passed by both Houses and are signed by the Governor.

*“Eighth—*Immediately after this resolution is passed and approved by the Governor, the Senate and House shall, before proceeding to any other business, proceed to the selection of the committee provided for in section one of this resolution, by an election in their respective houses.

*“Ninth—*That House Concurrent Resolution No. 14, be and the same is hereby rescinded and annulled.

*“Approved March 4th, 1879.”*



## Appendix "C"

The Revised Statutes of 1879 contained the following Preface:

"Under the provisions of section forty-one of article four of the Constitution, it became the duty of the Thirtieth General Assembly to 'revise, digest and promulgate all the statute laws of the state of a general nature, both civil and criminal.'

"In pursuance of this constitutional requisition, the General Assembly, at the regular session of 1879, adopted a joint and concurrent resolution providing for the election of a Joint Committee, to consist of three members of the Senate and four of the House, to revise and digest the laws of the State, and report the same to that body for approval.

"In compliance with the requirements of this resolution, Messrs. Hockaday, Wilson and Parrish were elected on the part of the Senate, and Messrs. Dryden, Anderson, McDaniel and McIntyre on the part of the House.

"In advance of the adoption of this resolution, the General Assembly, with a view of apportioning the labors incident to the work and securing its early completion, had already inaugurated a plan of revision, through the introduction of bills embracing every subject in the General Statutes of 1865.

"These bills had been referred to appropriate committees, and the work of revision had very considerably advanced before the Joint Committee had organized and entered upon its duties. The labor of the committees of the two Houses, therefore, constituted an important adjunct in the work of revision, and contributed much to aid the Revising Committee in completing its labors within the limits of the session.

"Under this system, all of the most important subjects in the statutes and sessions acts were carefully revised and reported, and passed as other bills in the course of ordinary legislation. But as this mode of revision was necessarily tedious and expensive, by reason of the large amount of printing it imposed,



those acts which, in the judgment of the General Assembly, required no changes or amendments were left undisturbed.

"After a lengthy and laborious session, the work of revision having been completed as far as it was practicable to be done by legislation, the General Assembly, by an act, approved May 31st, 1879, continued the undersigned members of the original committee in session after its adjournment, to collate, annotate and otherwise prepare the work for publication.

"By the provisions of this act, it became the duty of the committee to prefix to each section of the volumes appropriate catch-words as a substitute for the marginal notes in former revisions. This has been done, it is believed, in a manner to fully meet the purpose of the law.

"To each section has also been added a reference, showing the date of the last enactment, the page and section if taken from the session acts, or the page and section if taken from the revision of 1865, or, if a new or amended section, it is so indicated, and wherever the words 'amended' and 'new section' occur in the references, they are to be understood as applying exclusively to revised bills.

"In further pursuance of this act, copious references have been made in the notes to the decisions of the Supreme Court. These embrace a reasonably full digest of the decisions construing the statutes to which they are appended, running from volume one to sixty-eight, both inclusive, with occasional references to the sixty-ninth.

"Prefixed to the first volume will also be found the Constitutions of the United States and of this State; the Declaration of Independence; the Articles of Confederation; Washington's Farewell Address; the Act of Congress admitting the State into the Union, and the Ordinance of the Convention in relation thereto.

"To the same volume are annexed the acts of Congress in relation to the election of United States Senators; fugitives from justice; naturalization, and the authentication of public records; and also the forms adapted to the laws of the State. The latter will be found sub-

stantially as they appear in the revisions of 1855 and 1865, with such alterations as changes in the laws demanded.

“In the appendix to the second volume, the laws specially applicable to the city of St. Louis have been collated.

“The arrangement of the work, whilst the new one in this State, will soon commend itself as the most convenient that could have been devised under the existing condition of our laws. The committee found a vast amount of miscellaneous matter running through the session acts and remaining unrepealed, which it became their duty to collate. To have given it its place under an alphabetical arrangement would have interspersed both volumes with a large amount of incongruous matter. To avoid this, all laws of most constant use in the courts and by the bar are alphabetically arranged in the first volume, and the miscellaneous matter, and that most subject to repeal and amendment by future legislatures, will be found under alphabetical arrangement in the second volume.

“The sections have been numbered consecutively through both volumes, and a full and accurate index is appended to each.

“In defiance of every precaution, some errors and omissions will necessarily be found in the volumes: but none, it is apprehended, that will materially affect the sense, or that the intelligent reader will not readily be able to correct and supply.

“Careful comparisons of the revised bills with the original rolls, and of the unrevised laws with the original acts, have been made, and all material errors in the enrollment have been noted at the foot of the page, and in other cases omitted, and explanatory words supplied in the text in brackets.

“Such changes as the committee were authorized to make under the provisions of the act of May 31st, 1879, have been limited to the cases prescribed in that act, but have not been noted, as it was thought that such reference would tend to encumber the book with a profusion of notes of no practical benefit to the reader.

“No effort has been spared to make the revision thorough and accurate, and, as far as possible, free from

errors. Wherever the latter occur materially affecting the sense, they are noted in the errata.

"The committee are largely indebted to their clerk, Charles A. Winslow, Esq., of the Jefferson City bar, for valuable services in every department of the work, and especially in the preparation of the index. They further acknowledge valuable aid from the offices of the Auditor and Superintendent of Public Schools in the collation and preparation of the school and revenue laws.

"The Secretary of State, Hon. M. K. McGrath, has likewise afforded the committee every facility in his power to promote the success and early completion of the work.

JOHN A. HOCKADAY, Chairman,  
THOMAS H. PARRISH,  
BENJAMIN F. MCDANIEL,  
DANIEL H. MCINTYRE.

City of Jefferson, November 1st, 1879."

## Appendix "D"

"Statutes: Revision and Publication of. An Act Declaratory of the Revised Statutes of the State of Missouri and their Effect and to Provide for the Collation, Editing and Printing, Binding, Publishing and distributing the same," Laws of Missouri, 1879, p. 210.

Section 7 thereof provides:

"What acts not to be published in the Revised Statutes.—All acts relating to the bonded indebtedness of the state, all acts of incorporation, all acts for the appropriation of money, all memorials and joint resolutions, all acts and parts of acts of a private, local or temporary nature, or specially applicable to particular cities or counties, except as provided in the next preceding section, shall not be published in the Revised Statutes; but all such acts and provisions now in force or passed at the present session and not expressly repealed by or repugnant to the provisions of the Revised Statutes, shall continue in force or expire, according to their respective provisions or limitations, and all such acts, and all acts of a general nature having an emergency clause, passed at the present session, shall be published by the secretary of state as directed by law."